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PATENT

S/N 10/777,791

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HENRY ET AL. Examiner: UNKNOWN
Serial No.: 10/777,791 Group Art Unit: 3749
Filed: FEBRUARY 12, 2004 Docket No.: 12929.1107USU1
Title: AIR CONTROL FOR A CLEAN BURNING FIREPLACE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on August 17, 2004.

By:

Name: Teresa Morgan

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed July 26, 2004.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

Certification Under 37 C.F.R. § 1.704(d)

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the International Search Report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.


Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P. O. Box 2903
Minneapolis, Minnesota 55402-0903
612.332.5300

Date August 17, 2004



Joshua N. Randall
Reg. No. 50,719
JNR:KLW:PLStdM





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HENRY ET AL. Examiner: UNKNOWN
Serial No.: 10/777,791 Group Art Unit: 3749
Filed: FEBRUARY 12, 2004 Docket: 12929.1107USU1
Confirmation No.: 3147
Due Date: AUGUST 25, 2004 (30 DAY DATE)
Title: AIR CONTROL FOR A CLEAN BURNING FIREPLACE

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 17, 2004.

By: Teresa Morgan

Name: Teresa Morgan

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 4 Reference(s), Copy of International Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
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By: Joshua N. Randall
Name: Joshua N. Randall
Reg. No.: 50,719
JRandall:KLW:PLStdM

OIPE JC88
 AUG 20 2004
 PATENT & TRADEMARK OFFICE

[illegible]

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	389 381 B	11/27/1989	AT				X
	0 480 870 A1	04/15/1992	EP				X
	1 510 706	05/17/1978	GB				

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	